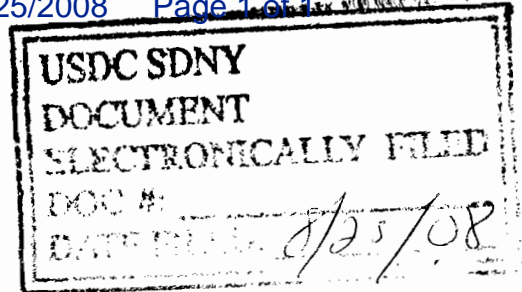


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MEMORANDUM ENDORSED

August 21, 2008

*Conference adjourned to Sept 16, 2008
at 11am so that both counsel can
appear in person*

Via Facsimile: 212.805.4268
The Honorable Magistrate Judge
Gabriel W. Gorenstein
United States District Court
Southern District of New York
500 Pearl Street.
New York, New York 10007

SO ORDERED: *Gabriel W. Gorenstein* DATE: 8/25/2008
GABRIEL W. SORENSTEIN
UNITED STATES MAGISTRATE JUDGE

RE: Gregory v. Niagara Credit Solutions, SDNY 07 CV 7825 (RJS) (GWG)

Dear Honorable Judge Gorenstein:

This letter is written pursuant to the Court's Individual Rules and Practices and a telephone conversation with Sylvia Gonzales, the Deputy Clerk of the Court in regards to my request for a telephonic appearance on the Pre-motion Conference before this Court currently scheduled for August 27, 2008 at 3:45pm.

I am plaintiff's counsel and initially made the request for said Conference as a result of a dispute between the parties with regards to outstanding Discovery items. This Court by Order, instructed the Defendant to respond to plaintiffs "point by point" letter by August 20, 2008. Much to my dismay, Defendant has responded to the point by point letter by reiterating their objections, but failing to provide any substantive response to any of the Discovery items, warranting the need for the resolution of said issues by Conference on August 27.

I am currently in California for personal and professional reasons, and do not plan to return to New York until September 10, 2008. Defendant's counsel is aware of my request and has agreed to consent to my appearance by telephone. There has been no prior request for the relief requested herein.

The Courts consideration with this matter is greatly appreciated.

Very truly yours,

S/

Amir J. Goldstein

CC: Arthur Sanders, ESQ. Via facsimile: 646.454.2104